Refund of fees to students

2811. SHRI DHARAM PAL SABHARWAL: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether it is a fact that after successful completion of the written test/ interview, candidates are called for counselling for admission in various institutions and are asked to deposit fees and when they get admission in another institution, only a part of fees deposited is refunded;

(b) whether Government propose to enact a law/make rules, so that no advance fee is got deposited; and

(c) if so, by when and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (c) It has come to the notice of the University Grants Commission (UGC) and All India Council for Technical Education (AICTE) that Institutions and Universities including Deemed-to-be-Universities are admitting students long before the actual starting of academic session; collecting full fee from the admitted students; and, retaining their school/Institution leaving certificates in original. The Institutions and Universities are also reportedly confiscating the fee paid if a student fails to join by such dates.

The University Grants Commission (UGC) and the All India Council for Technical Education (AICTE) have issued Public Notices conveying their instructions to Institutions, Universities etc. in this regard. As per these instructions, the Institutes, Universities including deemed-to-be-universities shall maintain a waiting list of students/candidates. In the event of a student/candidate withdrawing before the starting of the course, the waitlisted candidates should be given admission against the vacant seat. The entire fee collected from the student, after a deduction of the processing fee of not more than Rs. 1000/- (one thousand only) shall be refund and returned by the Institution/University to the student/ candidate withdrawing from the programme. Should a student leave after joining the course and if the seat consequently falling vacant has been filled by another candidate by the last date of admission, the Institution must return the fee collected with proportionate deductions of monthly fee and proportionate hostel rent, where applicable.

Irregularities in education system

†2812. DR. MURLI MANOHAR JOSHI:
SHRI RAM JETHMALANI:

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Government's attention has been drawn towards the report issued by UNESCO's International Institute for Educational Planning indicating therein various irregularities in Indian education system;

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†Original notice of the question was received in Hindi.

(b) if so, the details of the irregularities indicated in the said report;

(c) whether Government have conducted any investigation regarding these irregularities; and

(d) if so, the details of investigation reports, regarding each of the irregularities?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) and (b) Central Government has seen a Report published in 2007 by UNESCO/International Institute of Educational Planning (IIEP) entitled ''Corrupt Schools, Corrupt Universities; what can be done?'' This report is not India specific and highlights the issues related to corruption in education and the consequent loss to the system in terms of its adverse effect on access, equity and quality, in developed and developing countries around the world. The report includes references to teacher absenteeism and private tuitions by teachers, etc. These references have been made on the basis of a number of studies undertaken by different researchers during the last five years or so and also from the press reports appearing from time to time. The Report also suggests strategies to reduce corruption and improve governance in education. Details regarding the references made to India in the Report are enclosed as a Statement (*See* below).

(c) and (d) Central Government is continuously engaged, through consultations with State Governments and apex bodies such as University Grants Commission, the Central Board of Secondary Education and others, in eliminating malpractices in the educational system. Government of India has also commissioned an independent study to measure student and teacher attendance in select major States. Preliminary data from this study has shown that average teacher attendance in primary and upper primary schools is about 80%. Government also recognizes that eliminating the kinds of malpractices mentioned in the UNESCO/IIEP Report will require not only the continuous and committed participation of State Governments but also increased public awareness, and greater transparency and accountability in the public bodies.

Statement

Details regarding the reference made to India in the Report

❖ The report presents the conclusions of the research conducted by the IIEP in the field of ethics and corruption in education. It aims at sensitizing decision-makers, educational planners and managers to the importance of combating corruption in education; at providing them with key tools to detect and assess corruption problems; and at guiding them in the formulation of adequate strategies to curb malpractices.

The Report is not India specific. However, references have been made to India through out the Report. The points with reference to India are presented below:–

❖ In the foreword the Report mentions that...Fortunately, as this book amply demonstrates, there are vibrant parts of society – even among the poorest and the most vulnerable countries like Bangladesh and India – that

will organize in support of rational democratic and progressive dismantling of existing corrupt practices.

❖ Referring to the magnitude of corruption, the Report mentions that there are a few estimates of the economic costs of corruption. Two national estimates of corruption corroborate the fact that this is major phenomenon. In India, it was estimated at around 20 per cent of the GNP in the 1980s.

❖ Decision-makers in Government, academia and advocacy groups have come to recognize the potential of public feedback in making the Government more responsive and accountable. The Public Affairs Centre (PAC) in Bangalore, India and Transparency International Bangladesh (TIB), in particular, designed 'Report Cards on Public Services' in 2000, which proved to be relatively uncomplicated and widely replicable tools for improving transparency and public accountability.

❖ In the chapter titled 'Teacher management and behaviour', the Report opines that corrupt practices in teacher management and distortions in teacher behaviour can also have a high incidence on educational quality.

More globally, a variety of misbehaviours associated with teachers can disturb the implementation of planned interventions within the education sector, and particularly progress toward Education for All goals. Any plan to increase access to education, improve educational quality or reduce school inequities may thus prove unsuccessful if it does not properly take into consideration issues such as unauthorized fees for school admission, teacher-student relationship for private gain, and embezzlement of school time, another study conducted by the World Bank showed that teacher absenteeism is not a marginal phenomenon. It can be as high as one third of all teachers in the State of Uttar Pradesh, India (World Bank, 2004).

❖ The chapter also contains a table showing Major sources of unethical behaviour among teachers in South Asia. The report deals with 'Teacher absence rate in various countries and cost implications'. India has also be included in the table with 25% teacher absence rate in primary schools with consequent budget leakage of 22.5%.

❖ The analysis conducted by Chaudury et al (2005) in Bangladesh, India, Indonesia, Peru and Uganda, for instance, shows that there is no significant relationship between teachers' absenteeism and their residence with the catchments area of school, their average tenure in the school and how recently they have attended a training programme.

❖ In the sub-topic ''Designing and enforcing teachers' codes of conduct'', the Report concludes that even though codes of conduct are generally perceived as useful instruments, they are

not always effectively enforced. Various modes of enforcement have been experimented throughout the world, with more or less success. Existing social, political, cultural and institutional factors in Bangladesh, India and Nepal have greatly influenced the implementation of these codes.

❖ In the chapter-7 which deals with exams, credentials and accreditation, the Report mentions that in some places in India, cheating is now so well established that when Universities try to resist, students protest and demand their traditional right to cheat. In the Report, some examples of academic fraud have been mentioned. One of them is related to the findings of The Commission of Investigation on Abuse of Authority in Nepal, which suspects that 10% of the Himalayan Kingdom's 1,40,000 school teachers are using diplomas purchased from India (Chronicle of Higher Education, 2003). Similarly, some press reports on figures on academic fraud have been included, which are as under:–

India: fees for manipulating entrance tests scores between US$ 80 and US$ 20,000 for the most popular programmes, such as computer sciences, medicine or engineering.

India: Post dated cheques totaling more than US$300,000 collected by people offering to sell answers for a nationwide examinations for physicians.

❖ In the chapter titled 'Private tutoring: How to avoid the corruption of mainstream education?', the Report mentions that according to a recent comparative study undertaken by the IIEP on teachers codes of conduct in South Asia, private tuition is thus regarded as a major source of unethical behaviour in Bangladesh, India and Nepal.

❖ The Report also says that in India, a 1997 survey of 7,879 primary schools pupils in Delhi found that 39.2 per cent were receiving tutoring. Other reports have suggested that 70 per cent of urban children receive private tutoring in one or more subjects.

❖ In the chapter regarding memo to policy makers, planners and managers on how to address the challenge of corruption in the Education Sector, there is a subtopic titled 'How to address external factors (mainly political, legal, economical and educational)'.

This chapter mentions that lessons from experience and evidence suggest that five key elements hold a lot of promise when they can coalesce, namely, leadership; competition in the political and economic arena; the right to information; collective action; and an integrated approach.

Under sub-title 'Right to Information' the Report concludes that freedom of the press and access to information is key to

transparency and accountability. The experiences of countries such as India that have progressively provided a legal basis for the right to information can prove extremely useful in this regard.

Minority status to self-financing professional colleges

2813. SHRI A. VIJAYARAGHAVAN: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether there are provisions for applying for minority status to self-financing professional colleges;

(b) if so, the details of the above provisions and the number of institutions of various categories having minority status during the last three years, State-wise, category-wise and community-wise;

(c) the number of students of respective minority community, and non-minority community of the above institutions during the last three years, year-wise, category-wise, State-wise and institutions-wise; and

(d) the total number of professional colleges and of students belonging to minority and non-minority communities for various courses during the last three years, year-wise, State-wise, community-wise and course-wise?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI D. PURANDESWARI): (a) to (c) Under Article 30(1) of the Constitution, minorities have the right to establish and administer institutions of their choice, including self-financing professional colleges. In exercise of the Constitutional right, the minorities in each State have established educational institutions. An educational institution is recognized as a minority educational institution by the authority of the Central Government or the State Government, under whose, jurisdiction such institutions are established. The Central Government has so far recognized three institutions deemed to be universities and one Central University (Aligarh Muslim University) as minority educational institutions. The recognition granted to the Aligarh Muslim University is *Sub-judice* in the Supreme Court of India. Information in respect of educational institutions falling under the jurisdiction of States is not maintained centrally. The National Commission for Minority Educational Institutions (NCMEI) is also competent under Section 12B and 12C of the (NCMEI) Act, 2004 to decide on the minority status of an educational institution.

(d) According to information from the institutions recognized by the Central Government as minority educational institutions, the number of students enrolled is as given below:

Institutions	Year	Total number of Students admitted	No. of students belonging to minority Communities
1	2	3	4
1. Jamia Hamdard	2005-06	1179	718